

REMARKS

In the Official Action, the Examiner rejected claims 1-31. In this Amendment and Response, the Applicants amended claims 1, 12, 22, 26, 27, 29, and 31 to clarify the unique aspects of the present technique and to expedite allowance of the pending claims 1-31. No new matter has been added by this amendment. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendment and the following remarks.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 1 and 12 under U.S.C. § 102 as anticipated by Seto et al., U.S. Patent No. 6,175,488. Applicants respectfully traverse this rejection.

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under section 102, a single reference must teach each and every limitation of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Accordingly, the Applicants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. The prior art reference also must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989).

As discussed below, the claimed technique *does* have patentably distinct elements not found in the references cited by the Examiner. For example, amended claims 1 and 12 both recite, *inter alia*, a “component cover *removably mounted* over the opening, the component cover having *tool-less actuation* to an open position to permit access to the

selected component." In contrast, the front cover 21 of the cited reference is hingedly coupled to the housing 4, such that the front cover 21 *cannot be removed*. See Seto et al., Fig. 2, Abstract, Col. 9, line 65 – col. 10, line 5. In fact, the cited reference specifically teaches:

Moreover, in the state in which the front cover 21 has been shifted to the second position, the front cover 21 is not completely separated from the housing 4 since it is coupled to the housing body 20 by means of the coupling numbers 65a and 65b. Accordingly, it is possible to prevent the front cover 21 from being lost when the opening portion 35 is uncovered. Besides, there is no need to find where to place the front cover 21.

See Seto et al., Col. 9, line 65 – col. 10, line 5. In view of the foregoing passage, it is clear that the cited reference not only fails to disclose a removable cover, but the cited reference distinguishes the front cover 21 based on its securement to the housing 4. Accordingly, the Seto et al. reference lacks the recited feature of "component cover *removably mounted* over the opening, the component cover having *tool-less actuation to an open position* to permit access to the selected component," as recited by claims 1 and 12. In view of this omitted claim recitation, independent claims 1 and 12 and their respective dependent claims are believed to be patentable over the Seto et al. reference.

Accordingly, the Applicants respectfully request the Examiner withdraw the rejections of claims 1 and 12 under 35 U.S.C. § 102.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 2-4, 8, 11, 13-15, 19, 22-25, and 28-30 under 35 U.S.C. § 103(a) as obvious over Seto et al. (embodiment shown in Figs. 1-7) in view of Seto et al. (embodiment shown in Figs. 8-10). The Examiner also rejected claims 5-7, 9-10, 16-18, 20-21, 26-27, and 31 under 35 U.S.C. § 103(a) as obvious over Seto et al. in both embodiments. Applicants respectfully traverse these rejections.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). If

the Examiner combines the teachings of the prior art to produce the claimed invention, a *prima facie* case of obviousness cannot be established absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

Dependent Claims 2-11 and 13-21

Claims 2-11 and 13-21 all depend from one of independent claims 1 and 12, which are believed to be patentable over the Seto et al. reference for the reasons discussed in detail above. More specifically, Seto et al. does not teach or suggest the claim recitation of "component cover *removably mounted* over the opening, the component cover having *tool-less actuation to an open position* to permit access to the selected component." The Examiner's rejection of claims 2-11 and 13-21 does not obviate the deficiencies of Seto et al. with respect to independent claims 1 and 12. The Applicants stress that the cited reference *teaches away* from the foregoing claim recitation. Seto et al. explicitly teach that "front cover 21 is *not separated* from the housing 4," thereby ensuring that the front cover 21 is not lost while uncovering the opening portion 35. See Seto et al., Col. 9, line 65 – col. 10, line 5. Accordingly, claims 2-11 and 13-21 are believed to be patentable by way of their dependencies on independent claims 1 and 12.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 2-11 and 13-21 under 35 U.S.C. § 103(a).

*Independent Claims 22 and 29 and
Dependent Claims 23-28 and 30-31*

Independent claim 22 recites, *inter alia*, “removably connecting a quick-release cover to the portable computer housing to cover the opening.” Similarly, independent claim 29 recites, *inter alia*, “means for removably connecting a quick-release cover to the portable computer housing to cover the opening.” The Applicants respectfully traverse these rejections for the following reasons. First, as discussed in detail above, the Seto et al. reference does not teach or suggest *removability* of a quick-release cover, as recited in the instant claims. Second, the Seto et al. reference *teaches away* from “removably connecting a quick-release cover to the portable computer,” as recited in the instant claims.

First, Seto et al. explicitly teach that “front cover 21 is *not separated* from the housing 4,” thereby ensuring that the front cover 21 is not lost while uncovering the opening portion 35. See Seto et al., Col. 9, line 65 – col. 10, line 5. Instead, the front cover 21 of the cited reference is hingedly coupled to the housing 4, such that the front cover 21 *cannot be removed*. See Seto et al., Fig. 2, Abstract, Col. 9, line 65 – col. 10, line 5. Accordingly, the cited reference does not teach “removably connecting a quick-release cover to the portable computer,” as recited by the instant claims.

Second, the Applicants stress the explicit teachings of Seto et al., which clearly *teaches away* from a modification such as recited by the instant claims. See *In re Grasselli*, 713 F.2d 731, 743, 218 U.S.P.Q. 769, 779 (Fed. Cir. 1983); M.P.E.P. § 2145; *In re Ratti*, 270 F.2d 810, 123 U.S.P.Q. 349 (CCPA 1959); see M.P.E.P. § 2143.01. Turning to the cited references, Seto et al. specifically teach:

Moreover, in the state in which the front cover 21 has been shifted to the second position, the front cover 21 is *not completely separated* from the housing 4 since it is coupled to the housing body 20 by means of the coupling numbers 65a and 65b. Accordingly, it is *possible to prevent the front cover 21 from being lost* when the opening portion 35 is uncovered. Besides, there is no need to find where to place the front cover 21.

See Seto et al., Col. 9, line 65 – col. 10, line 5. The foregoing passage clearly indicates the intention to maintain securement of the front cover 21 with the housing 4 to prevent misplacement of the front cover 21. In view of the foregoing passages, one of ordinary skill in the art would be discouraged from modifying the *secured* top cover 21 of Seto et al. to attain the *removable* quick-release cover of the instant claims. Moreover, such a modification would change the principle of operation of the top cover 21 disclosed by Seto et al.

In view of the foregoing, independent claims 22 and 29 and their respective dependent claims 23-28 and 30-31 are believed to be patentable over the cited reference. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 22-31 under 35 U.S.C. § 103(a).

Conclusion

The Applicants respectfully submit that all pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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